

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ADAM APPEL, et al.,)	
)	
)	
Plaintiffs,)	
)	
v.)	No. 4:05CV00772SNL
)	
THE CITY OF ST. LOUIS, et al.,)	
)	
)	
Defendants.)	

**MOTION TO QUASH THE DEPOSITION NOTICE OF
POLICE CHIEF MOKWA AND REQUEST FOR
RECONSIDERATION OF THE DENIAL OF MOTION TO DISMISS**

COMES NOW defendant St. Louis Police Chief Joseph Mokwa, by and through counsel, moves this Court to quash the deposition notice sent by plaintiffs to defendant Mokwa. In addition, defendant Mokwa respectfully asks the Court to reconsider his motion to dismiss. Defendants incorporate their memorandum of law in support of their motion.

WHEREFORE, defendant Mokwa hereby prays for an order dismissing him from the plaintiffs' complaint or, in the alternative, an order quashing the plaintiffs' notice of deposition to defendant Mokwa.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON
Attorney General

/s/ Denise L. Thomas

Denise L. Thomas, #4538
Assistant Attorney General

Christopher Carenza, # _____
Assistant Attorney General

Old Post Office
815 Olive Street
St. Louis, MO 63101
Telephone: (314) 340-7861
Facsimile: (314) 340-7029

ATTORNEYS FOR DEFENDANTS BOARD OF
POLICE COMMISSIONERS, CHIEF MOKWA,
BLANSITT, SEEBER, ENGLEHARDT,
CERIOTTI, BOCKSTRUCK, AND HALL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served up the following parties via this Court's electronic filing system this _21st day of February, 2007:

Rory Ellinger
Kenneth Blumenthal
Ellinger & Associates, P.C.
797 W. Terra Lane
O'Fallon, MO 63366

Gary R. Sarachan
Sheila Greenbaum
Capes and Sokol
7701 Forsyth Boulevard
Fourth Floor, Suite 400

William Quick, Esq.
7751 Carondelet, Suite 403
Clayton, MO 63105

Anthony E. Rothert
James G Felakos, Jr.
ACLU of Eastern Missouri
4557 Laclede Avenue
St. Louis, MO 63108

St. Louis, MO 63105

Carl W. Yates, III
Associate City Counselor
City Counselor's Office
1200 Market
City Hall - Room 314
St. Louis, MO 63103

/s/ Denise L. Thomas

Assistant Attorney General